

**From:** Kerry Kartchner  
**To:** Microsoft ATR  
**Date:** 1/24/02 5:03pm  
**Subject:** Microsoft Settlement

The proposed settlement is a terrible idea. There is nothing to stop Microsoft from flagrantly violating the law again. They clearly have shown from past history that they have no respect for the law; but the settlement as proposed does not specify any significant enforcement mechanism. Furthermore, the settlement does not remedy Microsoft's attempts to restrict barrier to entry by means of their Windows Monopoly by the most direct route: Sections III.D and III.E prevent information released by Microsoft be used to create competing operating systems that can utilize a common API - competition IS the best means of eroding monopoly power. Forcing ISV's only to create products solely for Windows only extends Microsoft's monopoly power. If, as Microsoft claims, they are an innovative company they will surely produce the best operating system product and their software will be chosen - but if their product is not best, other products should be able to run programs written to Windows APIs.

Respectfully,

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